

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

DOUGLAS E. PAYNE,

Plaintiff,

VS.

PRESTIGE FINANCIAL SERVICES,
INC., *et al.*,

Defendants.

Case No. 4:25-cv-00615-MTS

MEMORANDUM AND ORDER

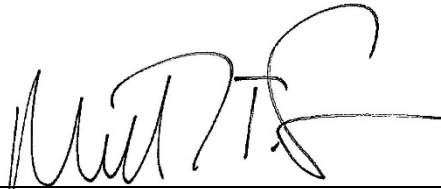
Pro se Plaintiff Douglas E. Payne’s case is before the Court on Defendant Prestige Financial Services, Inc.’s Motion to Dismiss. Doc. [10]; *see also* Fed. R. Civ. P. 12(b)(6). Because even a liberal construction of the Complaint reveals that Plaintiff failed to state a claim upon which relief can be granted, the Court will grant Defendant’s Motion and dismiss this action as to Defendant Prestige Financial Services, Inc. *See Solomon v. Petray*, 795 F.3d 777, 787 (8th Cir. 2015) (providing that pro se pleadings “are to be given liberal construction”); *Stone v. Harry*, 364 F.3d 912, 914 (8th Cir. 2004) (quoting *Dunn v. White*, 880 F.2d 1188, 1197 (10th Cir. 1989) (explaining that even for a pro se plaintiff, the court “will not supply additional facts” nor “construct a legal theory for plaintiff that assumes facts that have not been pleaded”)); *Lustgraaf v. Behrens*, 619 F.3d 867, 872–73 (8th Cir. 2010) (discussing the motion to dismiss for failure to state a claim standard).

Accordingly,

IT IS HEREBY ORDERED that Defendant Prestige Financial Services, Inc.'s Motion to Dismiss, Doc. [10], is **GRANTED**.

IT IS FURTHER ORDERED that Plaintiff shall file proof of service of Defendant Richard L. Hyde and Defendant Pepo H. Tsvetanov no later than **Wednesday, July 30, 2025**. See Fed. R. Civ. P. 4(m); *Taylor v. Clark Equip. Co.*, 4:22-cv-00201-SRC, 2022 WL 1640372, at *6 (E.D. Mo. May 24, 2022). Failure to do so will result in the dismissal of this action as to these remaining Defendants without prejudice.

Dated this 12th day of June 2025.



MATTHEW T. SCHELP
UNITED STATES DISTRICT JUDGE